
MONDAY, JANUARY 3, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Commissioner Dupont PT, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

Commissioner Dupont PT opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Commissioner Dupont PT closed the public comment period.

REORGANIZATION OF BOARD OF COMMISSIONERS

[9:30:20 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to appoint Commissioner Dupont to act as Chairman of the Board of Commissioners for 2011. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

APPOINTMENT OF COMMISSIONERS TO VARIOUS BOARDS

[9:31:54 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Larry VanRinsum, Clerk Kile

Discussion was held relative to 2011 board appointments.

Chairman Dupont: 911 Board, Compensation Board, Flathead County Solid Waste, Interoperability Montana, Montana Coalition of Forest Counties, Northern Tier Interoperability Commission, Port Authority, RAC (Resource Advisory Council, RC&D (Resource Conservation & Development), Transportation Advisory Board, Technical Advisory Committee, Western Montana Regional Juvenile Detention Board.

Commissioner Lauman: 911 Funding Formula Committee, AOA (Agency on Aging), Audit Committee, Child Development Center Board, Compensation Board, Health Board Review Committee, RSVP (Retired Senior Volunteer Program), Western Montana Regional Mental Health Board.

Commissioner Holmquist: Compensation Board, DUI Task Force (Safe Kids Safe Community Coalition), Flathead Basin Commission, Flathead County Chemical Dependency Clinic, Flathead Regional Wastewater Management, Flathead Valley Economic Development Authority, Health Board, Local Emergency Planning Committee, Montana West Economic Development, Youth Service Network.

Commissioner Lauman made a **motion** to approve the various board appointments as discussed. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF RESOLUTION: REQUEST FLATHEAD COUNTY PLANNING BOARD / UPDATE FLATHEAD COUNTY GROWTH POLICY

[9:46:14 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Planning & Zoning Director B J Grieve, Larry VanRinsum, Clerk Kile

B J Grieve noted the resolution is to start the process for the Flathead County Planning Board to update the Growth Policy.

Commissioner Lauman made a **motion** to approve resolution 2015P. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2015 P

WHEREAS, the Board of Commissioners adopted the Flathead County Growth Policy on March 19, 2007;

WHEREAS, Chapter 9, Part 6, "Implementation Strategy" of the Growth Policy provides that the Growth Policy should be updated, at a minimum, every five years;

WHEREAS, on October 20, 2010, the Flathead County Planning Board held a public workshop to gather public comment identifying areas of the Growth Policy that should be considered in the update;

WHEREAS, on November 17, 2010, Sub-Committee 'A' of the Flathead County Planning Board held a public meeting to develop a work plan (attached), based on public input received, for updating the Growth Policy; and

**MONDAY, JANUARY 3, 2011
(Continued)**

WHEREAS, on December 8, 2010, the Flathead County Planning Board reviewed the proposed work plan during a regularly scheduled public hearing and unanimously voted to forward the work plan to the Board of Commissioners for their review.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Sections 76-1-106 and 76-1-604(3)(a), M.C.A., the Board of Commissioners of Flathead County, Montana, hereby requests the Flathead County Planning Board to update the Flathead County Growth Policy as proposed by the attached work plan.

Dated this 3rd day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Dale W. Lauman
Dale W. Lauman, Member

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Growth Policy Update Work Plan 2011/2012

Planning Board Sub-Committee A met on November 17, 2010 to discuss the outcome of the public workshop held on October 20th and to develop a scope of work for updating the Growth Policy by April 2012.

Rather than a wholesale update of the document, Sub-Committee A determined it would be most effective to focus on specific areas of the growth policy in most need of updating or clarification based on public input received as well as insight gleaned from working with the document over the past 4 years.

January 2011 thru March 2011

- **MAIN FOCUS:**
 - **Review Chapter 5: The Flathead Economy; add section on economic development**
 - **Develop "User's Manual" to add to beginning of Growth Policy, explaining how the Growth Policy should be used and what it can (and cannot) do.**
- **TIMELINE:** Bi-monthly committee meetings with full Planning Board, open to the public. One to occur during new business at regularly scheduled Planning Board hearings.
- **CHECKPOINT:** Public workshop scheduled for March 2011

April 2011 thru June 2011

- **MAIN FOCUS:**
 - **Sand & gravel resources**
 - **Property Owners "Bill of Rights"**
- **TIMELINE:** Bi-monthly committee meetings with full Planning Board, open to the public. One to occur during new business at regularly scheduled Planning Board hearings.
- **CHECKPOINT:** Public workshop scheduled for June 2011

July 2011 thru September 2011

- **MAIN FOCUS:**
 - **Facts, figures and map updates**
 - **Adding adopted plans (PATHS Plan, Parks Plan) and text (how to start a neighborhood plan) to Growth Policy document.**
- **TIMELINE:** Bi-monthly committee meetings with full Planning Board, open to the public. One to occur during new business at regularly scheduled Planning Board hearings.
- **CHECKPOINT:** Public workshop schedule for September 2011

October 2011 thru December 2011

- Prepare preliminary draft of updated Growth Policy document
- Public review of proposed updates, amendments and additions to Growth Policy
- Planning Board public hearing and additional workshops

January 2012 thru March 2012

- Final draft of updated Growth Policy begins public process before the County Commissioners
- **GOAL:** Final update to be adopted by April 1, 2012

CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.

9:49:11 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the print bid from Insty Prints for 2 sets of 500 each business cards for \$24.95, 500 business cards for \$29.95 and 750 family planning napkins for \$182.00 for the Health Department and authorized the chair to sign. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

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(Continued)

DOCUMENTS FOR SIGNATURE: DPHHS CONTRACTS #11-07-4-11-044-0 & #11-07-4-31-015-0

[9:51:27 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Mike Pence explained the contract is an annual renewal for a TB prevention control grant totaling \$4,000.00.

Commissioner Lauman made a **motion** to approve the TB DPHHS contract. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

Mike Pence explained the contract is a renewal of an annual immunization program totaling \$30,853.00.

Commissioner Holmquist made a **motion** to approve the immunization contract. Commissioner Lauman **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

PUBLIC HEARING: MK HOLDINGS, LLC ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[10:00:12 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Planner Alex Hogle, Larry VanRinsum, Marc Liechti, Ardis Larsen, Dawn Marquardt, Gary Krueger, Clerk Kile

Alex Hogle entered into record Staff Report FZC 10-06; an application submitted by MK Land Holdings, LLC with technical assistance from Marquardt Surveying to change zoning from R2 to B2 in the Evergreen Zoning District. The property is located on the north side of Hwy. 2, west of the intersection of Hwy 35. Staff recommends approval.

Chairman Dupont opened the public hearing to anyone wishing to speak in regards to the proposed zone change.

Dawn Marquardt representing the applicant said the proposal is to clean up existing zoning.

No one else rising to speak, Chairman Dupont closed the public hearing.

Commissioner Lauman made a **motion** to approve Resolution of Intent #797FG and authorized publication of the Notice of Passage of Resolution of Intent. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

RESOLUTION NO. 797 FG

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 3rd day of January, 2011, to consider a request by MK Land Holdings, LLC, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business);

WHEREAS, notice of that hearing was posted for at least 45 days prior to the public hearing and published on December 20 and December 27, 2010, pursuant to Section 76-2-205(1), M.C.A.;

WHEREAS, the Board of Commissioners received public comment on the proposed zoning change; and

WHEREAS, the Board of Commissioners reviewed the recommendations of the Flathead County Planning Board regarding the proposed change in the Evergreen and Vicinity Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning for a portion of the area in the Evergreen and Vicinity Zoning District from R-2 to B-2 in Section 4, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana, containing approximately .59 acres. The property is located at 1347 Highway 2 East and legally described on the attached Exhibit A;

BE IT FURTHER RESOLVED that notice of the passage of this resolution, stating the boundaries of the portion of the Evergreen and Vicinity Zoning District to be changed, the general character of the proposed change in regulations for the area, that the regulations for said district are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Evergreen and Vicinity Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Evergreen and Vicinity Zoning District for a period of thirty (30) days after first publication of that notice, provided that, in order that only valid signatures are counted, the owners of real property who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

**MONDAY, JANUARY 3, 2011
(Continued)**

BE IT FURTHER RESOLVED that if forty per cent (40%) of the owners of real property within the Evergreen and Vicinity Zoning District protest the proposed change in said district, then the change will not be adopted.

Dated this 3rd day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Dale W. Lauman
Dale W. Lauman, Member

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Exhibit A

That portion of Flathead County Assessor's Tracts 8 and 8D in the Northwest ¹/₄ of the Southeast ¹/₄ of the Southwest ¹/₄ of Section 4, Township 28 North, Range 21 West, P.M.,M., Flathead County, Montana, described as follows:

Beginning at the Northwest Corner of Tract 2 per Certificate of Survey No. 9368, records of Flathead County, Montana; Thence along the Westerly boundary of Tract 1 per Certificate of Survey No. 9368, records of Flathead County, Montana, through the following three (3) courses:

North 00°05'30" East 46.47 feet, South 89°54'30" East 72.61 feet, and North 00°05'30" East 55 feet;

Thence leaving said Westerly boundary of Tract 1 per Certificate of Survey No. 9368, West 190 feet, more or less, to the Northerly extension of the East boundary of that parcel as described in Book 266, Page 43, records of Flathead County, Montana;

Thence Southerly 216 feet, more or less, along said Northerly extension and continuing along said East boundary to the Northerly boundary of the existing B-2 zone, said B-2 zone lies 130 feet Northerly of the highway right of way; Thence Northeasterly 127 feet, more or less, along said existing B-2 zone to a point on the West boundary of the above said Tract 2 per Certificate of Survey No. 9368;

Thence along said West boundary of the above said Tract 2 per Certificate of Survey No. 9368, North 00°05'30" East 55 feet, more or less, to the Point of Beginning.

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
EVERGREEN AND VICINITY ZONING DISTRICT**

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 797 FG) on January 3, 2011, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business).

The boundaries of the area proposed to be amended from R-2 to B-2 are located in Section 4, Township 28 North, Range 21 West, P.M.,M., Flathead County, Montana, containing approximately .59 acres. The property is located at 1347 Highway 2 East and legally described on the attached Exhibit A.

The proposed change would generally change the character of the zoning regulations applicable to the property from providing a residential district for large tract development in suburban areas, beyond sanitary sewer and/or water lines, to providing for retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by businesses serving the general needs of the tourist and traveler.

The regulations defining the R-2 and B-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed amendment are also on file for public inspection at the Office of the Clerk and Recorder and at the Flathead County Planning and Zoning Office.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Evergreen and Vicinity Zoning District from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 3rd day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/James R. Dupont
James R. Dupont, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 6 and January 13, 2011.

**MONDAY, JANUARY 3, 2011
(Continued)**

Exhibit A

That portion of Flathead County Assessor's Tracts 8 and 8D in the Northwest ¹/₄ of the Southeast ¹/₄ of the Southwest ¹/₄ of Section 4, Township 28 North, Range 21 West, P.M.,M., Flathead County, Montana, described as follows:

Beginning at the Northwest Corner of Tract 2 per Certificate of Survey No. 9368, records of Flathead County, Montana; Thence along the Westerly boundary of Tract 1 per Certificate of Survey No. 9368, records of Flathead County, Montana, through the following three (3) courses:

North 00°05'30" East 46.47 feet, South 89°54'30" East 72.61 feet, and North 00°05'30" East 55 feet;

Thence leaving said Westerly boundary of Tract 1 per Certificate of Survey No. 9368, West 190 feet, more or less, to the Northerly extension of the East boundary of that parcel as described in Book 266, Page 43, records of Flathead County, Montana;

Thence Southerly 216 feet, more or less, along said Northerly extension and continuing along said East boundary to the Northerly boundary of the existing B-2 zone, said B-2 zone lies 130 feet Northerly of the highway right of way; Thence Northeasterly 127 feet, more or less, along said existing B-2 zone to a point on the West boundary of the above said Tract 2 per Certificate of Survey No. 9368;

Thence along said West boundary of the above said Tract 2 per Certificate of Survey No. 9368, North 00°05'30" East 55 feet, more or less, to the Point of Beginning.

DOCUMENTS FOR SIGNATURE: MEMORANDUM OF UNDERSTANDING WITH FLATHEAD CONSERVATION DISTRICT

[10:15:01 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, GIS Director Mindy Cochran, Larry VanRinsum, Clerk Kile

Commissioner Lauman made a **motion** to approve the MOU between Flathead County and Flathead Conservation District. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

CONSIDERATION OF AMENDMENT OF RESOLUTION #2203: MEMBER EXPANSION ON THE FLATHEAD COUNTY RIVER COMMISSION

[10:17:28 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Larry VanRinsum, Gary Krueger, Ardis Larsen, Clerk Kile

Tara Fugina explained Flathead County River Commission wishes to expand its membership from 9 to 11 with two extra members to be appointed as at large members by the River Commission. She stated she spoke with Rusby Seabaugh, a member of the River Commission who explained they would like to have flexibility to add up to four members at large, but not necessarily that they would always appoint four at large members. Fugina noted the proposed resolution states up to eleven members.

Commissioner Holmquist questioned the potential conflict of interest with agency representation from FWP and the Conservation District when grant funding is sought.

Tara Fugina noted the question is not a topic for discussion today since it wasn't noticed.

Commissioner Holmquist said she was not sure she is comfortable with the River Commission choosing board members. She stated she feels the commissioners should be choosing all the members on the board, and doesn't feel the board membership should be expanded to 11 members when 9 are sufficient.

Tara Fugina noted the consideration of expansion of membership could be continued if they would like to have a member of the River Commission explain to them their reasoning for additional members.

Commissioner Lauman said he felt that would be a good idea in order to hear what their reasoning is for additional members before they arbitrarily make a decision. He stated we do have a lot of rivers and people that live on them, and it may be they are trying to create more representation of those living along the river.

Chairman Dupont concurred.

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(Continued)

AUTHORIZATION TO PUBLISH CALL FOR BIDS: COURTHOUSE RENOVATION

[10:20:56 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Ardis Larsen, Gary Krueger, Clerk Kile

Mike Pence noted the main focus of the project is for public safety, accessibility, energy efficiency and historic renovation of the courthouse. He explained the estimated cost of the construction portion of the project is \$1.9 million and when including all the engineering and architectural fees along with permits it is \$2.4 million. Pence stated the money has been set aside and grant funding along with museum funds will pay for portions as well.

Commissioner Lauman said they have discussed options for years, and over the past year they settled on remodeling the Blue Building and renovating the Old Courthouse to its original design. He stated he supports the renovation which has been a long time coming.

Chairman Dupont stated he also supports the renovation.

Commissioner Lauman made a **motion** to authorize the chair to sign the publication of Call for Bids for the Courthouse. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

**CALL FOR BIDS
RENOVATION FLATHEAD COUNTY COURTHOUSE**

Flathead County is requesting Bids for the Courthouse Renovation located at 800 South Main Street, Kalispell, MT. This project requires a General Contractor and consists of asbestos and lead remediation, miscellaneous renovation, historic upgrades, window replacement, code upgrades, fire sprinkler and alarm system installation, mechanical and electrical upgrades, and elevator and stair installations.

Contractors may obtain the plans from CTA Architects Engineers, 2 Main Street, Suite 205, Kalispell, MT, 59901, Phone 406.257.8172, Fax 406.257.8173, or from the Kalispell Plans Exchange and affiliated exchanges on or after Wednesday, January 5, 2011. Construction Documents and Specifications are available electronically on CD at no charge. A hard copy set will be provided upon payment of both a \$150.00 nonrefundable plan fee and a \$150.00 refundable deposit. All bidding questions should be directed to CTA Kalispell, Corey Johnson, at 406.257.8172 or emailed to coreyj@ctagroup.com.

There will be a **Pre-Bid Conference at 10:00 AM on Thursday, January 13th, 2011**. All bidders are **STRONGLY ENCOURAGED** to attend. We will be meeting at the south back entry of the Courthouse.

Sealed Bids will be received by the Office of the Flathead County Commissioners, c/o Diana Kile, Deputy Clerk, 800 S. Main Street, Kalispell, MT 59901, until **10:00 AM Local Time Wednesday, January 26th, 2011**. Bids will be publicly opened and read aloud immediately thereafter at the lower level Commissioners Chambers and taken under advisement. All Sealed Bids must be clearly marked, **"Flathead County Courthouse"**.

All Bids must include a Bid Guarantee of 10%, and a 100% Performance Bond will be required upon award of the contract. Project requirements include a 1% Montana Gross Receipts Construction Tax, Federal Davis Bacon Wage Rates, and ARRA - American Recovery Reinvestment Act reporting and regulation requirements, including but not limited to the Buy American Requirements, Compliance with Copeland Act requirements, and audit information.

Flathead County reserves the right to reject any or all Bids, to waive formalities and to accept the Bid(s) deemed most advantageous to the County.

Late Bids will not be opened.

DATED this 3rd day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 5, 12 and 19, 2011.

COS REVIEW: WARDLE

[10:30:09 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Planning & Zoning Director B J Grieve, Deputy County Attorney Peter Steele, Weed & Parks Director Jed Fisher, Dan Brien, Carol Wardle, Chuck Wardle, Clerk Kile

B J Grieve gave details pertaining to a family transfer that was done in 1997 on the Wardle property which resulted in two splits and a remainder; in 2008 another split was done with a remainder. He stated the proposal today is for one family transfer with one remainder bringing the total pieces of ground including a remainder to five.

Chuck Wardle explained the history regarding previous transfers.

**MONDAY, JANUARY 3, 2011
(Continued)**

Commissioner Lauman made a **motion** to approve the COS. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

TAKE ACTION: BUFFALO MOUNTAIN, PHASE 2

[10:41:03 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Planning & Zoning Director B J Grieve, Deputy County Attorney Peter Steele, Clerk Kile

Chairman Dupont read into the record Buffalo Mountain, Phase 2 is declared a dead file.

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPT.

[11:00:57 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Dave Prunty presented statistics for the month and stated operationally the department has been busy plowing and sanding with some brush cutting. He spoke about safety concerns on a steep section of Conn Road where an accident occurred with a road grader on the portion of the road that has a 20 percent slope to it. Prunty asked for commissioner input in regards to closing that portion of the road during the winter season. He reviewed winter accidents with county snow plows that occurred. It was reported implementation of call board employees is working out well for the department. He then gave an update in regards to water right issues and explained the changes in management structure at the Road Department.

DOCUMENTS FOR SIGNATURE: 2009 MONTANA FOREST HIGHWAY ROUTE INVENTORY FORM/ PLEASANT VALLEY, ASHLEY LAKE ROAD, GOOD CREEK ROAD AND NORTH FORK ROAD

[11:22:47 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Dave Prunty explained the documents for signature would help the Road Department with funding if any potential support became available.

Commissioner Lauman made a **motion** to authorize the chair to sign the Forest Highway Route documents. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: TEMPORARY ROAD CLOSURE PERMIT/ CENTRAL AVENUE, MARTIN CITY

[11:26:48 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Dave Prunty reported the closure is scheduled for February 12 and February 13 from 9:00 a.m. to 7:00 p.m. for the annual bar stool races held in Martin City.

Commissioner Lauman made a **motion** to authorize the chair to sign the road closure permit. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

MEETING W/ SUE SUTHERLAND, RC&D COORDINATOR

[11:34:40 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, RC&D Coordinator Sue Sutherland, Lincoln County Commissioner Tony Berget, Clerk Kile

Sue Sutherland presented a brief overview of Montana Resource Conservation and Development (RC&D) non-profit programs serving Flathead, Lake, Lincoln and Sanders counties. She reviewed the major programs which include hazardous fuels reduction, biomass utilization and noxious weed coordination.

**MONDAY, JANUARY 3, 2011
(Continued)**

Discussion was held relative to various potential projects, resources and administration of funds.

8:30 a.m. Weed & Parks board meeting @ Weed & Parks Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 4, 2011.

TUESDAY, JANUARY 4, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

Chairman Dupont opened public comment on matters within the Commissions' Jurisdiction.

Drew Paslawsky a property owner in Glacier Ridge Subdivision spoke about his concerns regarding the public water supply system and the improvements needed to it. He explained he contacted Chris Coughlin in 2008 to discuss the water system which is jointly owned and was told at that time by the Coughlin's they were interested in building a hotel. Paslawsky stated he wished the developers of Camp Winnakee would have asked Glacier Ridge Water Association for their input and approval before submitting paperwork to Montana Department of Environmental Quality. He spoke about existing covenants on the property and asked for protection of their public water supply.

Sharon DeMeester, 415 Chestnut Drive also a property owner in Glacier Ridge Subdivision said discussions were started back in 2008 and there was no reason landowners could not have all been notified by the developers of Camp Winnakee. She stated only a few of them were aware of the lodge being built. DeMeester said she has a real issue with the water situation since they are all tied together on the same water system, and the 15,000 gallon storage tank is down the hill from Camp Winnakee's septic system and their second well is just off the corner of their property. She said the issue with the whole process is their total non-compliance. A summary of documents along with a timeline was presented to the commission and reviewed. DeMeester said the whole issue right now is they want a major land use change in order to accommodate 36 guests with the septic in the ground being for 24 guests; they are coming back after the fact and asking for approval of something already built without the proper paperwork being done in advance. She stated they have a minor and can be in compliance with a minor right now if the missing permits were obtained.

No one else rising to speak, Chairman Dupont closed the public comment period.

QUARTERLY MEETING W/ MARCIA SHEFFELS, SUPT. OF SCHOOLS

9:00:00 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Superintendent of Schools Marcia Sheffels, Clerk Kile

Sheffels reviewed a quarterly report for October, November and December 2010. She reported the Transportation Committee recently met and finalized a new policy and approved bus routes. The Flathead County Statistical Report of Schools for 2010 was reviewed with Whitefish and Bigfork High School losing students to Flathead High School.

Discussion was held relative to out of district transfers and the no tolerance policy.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: ROAD GRADERS/ ROAD DEPT.

9:15:22 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to authorize the chair to sign the Call for Bids for a road grader. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

CALL FOR BIDS/ ROAD DEPARTMENT

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on three (3) used all wheel drive articulated motor graders for purchase. Purchase of three (3) motor graders will depend on price submitted. Bidder may submit bid on either one (1), two (2) or three (3) motor graders. Individual price for each unit must be stated.

County may choose any or all units in each bid package.

The specifications for said all wheel drive articulated motor grader may be obtained at the County Clerk and Records Office, 800 South Main, Kalispell, MT 59901.

Bidder shall submit a bid as per the specifications, to include items 17a and 17b inclusive and/or separately.

**TUESDAY, JANUARY 4, 2011
(Continued)**

Each bidder must deposit with his bid, a bid security in the amount of ten percent (10%) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of said unit. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

Each bidder shall include with the bid, the form of contract to be signed. Bidder must be able to deliver the machine within 30 days of Bid Award Letter date. Flathead County reserves the right to negotiate the terms of said proposed contract (excluding prices contained therein). In awarding the bid, the age, mileage, condition of the vehicle and tires, and the terms of any warranty the bidder is willing to offer, as well as the bid price, will be taken into account in order that the Department can select the best overall vehicle from the bids submitted.

All sealed bids, **plainly marked as such**, must be in the hands of the County Clerk and Recorder, 800 South Main, West Annex Commissioners' Office, Kalispell, MT 59901, on or before **9:45 a.m. on January 24, 2011**. Bids will be opened and read immediately thereafter.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 4th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/James R. Dupont
James R. Dupont, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 8 and January 15, 2011.

OPEN BIDS: CONSTRUCTION OF EARL BENNETT PARKING LOT

9:30:25 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Weed & Parks Director Jed Fisher, Solid Waste Director Jim Chilton, Jodi Holt, David Steely, Kyle Schellinger, Marc Blandon, Tommy Stevens, K. Wood, Cody Watson, Melissa Fortuna, Lance Streeter, Tom Cowan, Clerk Kile

Bids received with bid bonds enclosed from:	Knife River	\$364,834.00
	Schellinger Construction	\$339,668.40
	Paveco	\$408,063.65
	Nelcon	\$515,396.00
	LHC, Inc.	\$310,805.24
	APEX	\$287,307.70
	Watson Excavating	\$386,279.77
	Randy Gembala	\$349,020.10

Commissioner Lauman made a **motion** to take the bids under advisement. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

AUTHORIZE ATTORNEY GENERAL TO PROSECUTE STATE V. RICHARD SCHAEFFER

9:30:34 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, County Attorney Office Manager Vicki Eggum, Clerk Kile

Commissioner Lauman made a **motion** to approve the resolution presented. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

TUESDAY, JANUARY 4, 2011
(Continued)

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:00:01 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, H. R. Director Raeann Campbell, Clerk Kile

Raeann Campbell presented personnel transactions for the months of November and December, 2010.

Commissioner Lauman made a **motion** to approve the personnel transactions presented. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

Raeann Campbell then reported the health insurance trust fund balance is at \$3.7 million compared to \$3.2 million last year at the same time, and claims are up approximately \$250,000 from one year ago. The work comp expenses from 2010 were reviewed. Campbell reported alcohol and drug training classes are completed and will go into effect this quarter and affect approximately 2/3 of county employees.

APPOINTMENT TO COMPENSATION BOARD: CHUCK CURRY, SHERIFF

[10:15:23 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Lauman made a **motion** to appoint Chuck Curry to the Compensation Board. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

CONTINUATION OF NOMINATION OF SENATOR FOR SENATE DISTRICT 6

[10:15:58 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Deputy County Attorney Tara Fugina, Rick Breckenridge, Clerk Kile

Tara Fugina said according to state statute Flathead County and Lake County need to act as a joint appointing board when multiple county districts are involved. She asked that no action be taken today until communication is held with Lake County to make sure state statute procedures are followed.

Commissioner Lauman made a **motion** to not take any action at this time. Commissioner Holmquist **seconded** the motion.

Tara Fugina further explained the nominees have to come from a joint meeting of both counties and their central committee.

Rick Breckenridge said Lake County met and voted on three nominees that were submitted and evidentially that was not forwarded to Flathead County.

Aye – Lauman, Dupont and Holmquist. Motion carried unanimously.

BOARD APPOINTMENTS: SOLID WASTE & WEST VALLEY FIRE DISTRICT

[10:20:31 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Holmquist made a **motion** to appoint Hank Olson to the Solid Waste Board as the representative of the City of Kalispell. Commissioner Lauman **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

Commissioner Holmquist made a **motion** to appoint Andrew Kelly to West Valley Fire District. Commissioner Lauman **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

TUESDAY, JANUARY 4, 2011
(Continued)

PUBLIC MEETING: MAJOR LAND USE PERMIT/ CAMP WINNAKEE, LOT 1A OF THE AMENDED PLAT OF GLACIER RIDGE SUBDIVISION II

[10:30:42 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Planning & Zoning Director B J Grieve, Planner Allison Mouch, Health Department Director Joe Russell, Drew Paslawsky, Denny Gignoux, Randy Gayner, Monica Jungster, Sharon DeMeester, Chuck Brosten, Joe Hoff, Clerk Kile

Allison Mouch reviewed the request submitted by Camp Winnakee, LLC for a major land use review for expansion of an existing commercial use greater than 25 percent of existing commercial structures and/or activity areas where the total use area involves more than one acre. The request is to operate a lodge at 120 Highline Boulevard within the Canyon Area Zoning District. It was noted currently a guided fishing company operates on the northern half of the property; the lodge would be a component of that use. She stated major land use permits are reviewed much like a minor which staff reviewed the proposal as. Mouch reviewed public comments received concerning codes and covenants, water quality, fire safety, land use permits and signage.

Chairman Dupont questioned what the county regulations are for a bed and breakfast.

Allison Mouch stated a bed a breakfast is defined as a single family detached dwelling containing additional living accommodations for the resident manager, with individual sleeping rooms without cooking facilities for the purpose of providing to the general public for compensation of lodging, bathroom facilities and breakfast to overnight patrons.

Chairman Dupont asked Health Department Director, Joe Russell to explain if there is an issue regarding water quality because of the location of the septic system.

Joe Russell explained when it went through subdivision review it had a limit put on it based on the fact the owners did not want or could not comply with the public water supply act, so they limited the amount of occupancy to 25 per day, 60 days out of a year; anything over that constitutes a public water supply and public sewer system. He stated it was there election to hold to the occupancy of 24; their issues come up with the fact that you have 12 bedrooms with double beds.

Chairman Dupont asked if that was permitted through the Flathead County Health Department and DEQ.

Joe Russell said they actually contract to do the review, but the State Department of Environmental Quality created the subdivision which allowed the public accommodation to exist on the property; the public accommodation has a certificate of subdivision plat approval associated with it. It is conditioned and that conditions the property to a maximum of 24 people, so the public water supply act doesn't come into effect. Russell stated when it came to them for a septic system permit it was permitted for 24.

Commissioner Lauman said coming from an area where I have worked with a water/ sewer district that he has concerns about ground water contamination which is difficult to reverse. He stated he trusted the integrity of those running the facility in that they would comply with the number of people being accommodated; yet has concerns with that occupancy and the septic system contaminating the ground water levels. He noted the staff report doesn't have any references to any water table testing done.

Joe Russell stated the process requires them to understand the depth to ground water before they would issue a certificate of subdivision plat approval statement and issue a septic system permit. He said he is comfortable that the work complies with their regulations and the comments about water quality are valid but somewhat out of their control. He noted what they do is based on the information provided and is confident the information they used to issue the permit is compliant with their rules.

Chairman Dupont asked if he was comfortable with the condition imposed by the state limiting occupancy to 24 guests.

Joe Russell said he would stick by what they have done to this point and stated they are comfortable with the fact it was reviewed for a non-public water supply, and the permit was issued for less than 24 guests; their biggest concern is they have the conditions placed on there for a good reason so they don't put more waste water into the septic system than it is capable of handling, or more water is drawn out of the ground than it is capable of producing.

Commissioner Holmquist asked if the Health Department would regulate how many beds are allowed in the facility.

Joe Russell explained they would not police it and noted they are also the licensed grantor for the public accommodation which is regulated through Montana Department of Health and Human Services. He stated all the conditions have to link together for public accommodation.

Chairman Dupont asked the owners how the county could be assured they would stay to the limit of 24 guests.

Randy Gayner said they are working with environmental health as they still need their accommodation license and part of that is working with the Health Department. He explained they managed Granite Park Chalet where they were held to a strict number so in their office they have the ability to say one person is signed up and that is the limit. He stated they do have 24 beds in the facility and have discussed how they will not overload it with families, and instead keep it down to smaller numbers.

Chairman Dupont opened the public meeting up to comments.

**TUESDAY, JANUARY 4, 2011
(Continued)**

Joe Hoff noted he owns the property surrounding Camp Winnakee and operates the public water system. He spoke about water supply lines that run down the road and septic flowing into well heads, and stated there is a potential to do major harm to surrounding property owners. Hoff asked where he would go if any issues came up, and if there is contamination if they would be willing to pay for it.

Chuck Brosten stated he resides in West Glacier and not in the subdivision at issue, yet is concerned about water quality and the supply of water. He stated Commissioner Lauman expressed his concerns in that this needs to be enforceable.

Drew Paslawsky explained the administrative rules are fairly clear that when you are within 500 feet of a public water system you are required to connect; however, there are some off ramp exemptions available to use but a demonstration process is required in order to do so, and in this case he stated he didn't feel they went through the process. He stated as a co-owner of the public water supply system that he is concerned about polluting the water well. Paslawsky spoke about concerns regarding the tanker recharge facility which he noted was acceptable in 1993 and questioned if it would be adequate now with increased use and additional development.

Commissioner Lauman stated he is concerned about potential contamination of the water table and said there is no assurance there that it would not contaminate the water in the area. He noted it is close to Glacier National Park as well as a scenic corridor area, and said that would be his main concern for opposing the expansion.

Commissioner Holmquist questioned why the applicants did not hook on to the water system already there, and asked if it was addressed.

Joe Russell noted he did not receive the letter from Drew Paslawsky, yet would find out if something was overlooked. He said there is certainly reason for the state to revoke the certification if they did not go through the process of determining it was more economical for them to drill their own well instead of hooking onto a public water supply while it was available.

Denny Gignoux said the DEQ encouraged them to drill their own well and to work towards a public system; the existing system he stated which they are part of they have every interest in making sure the water system is not polluted, because they use it. He noted there are issues and stated he would hope they could all work together on the existing water system in order to get it up to the levels which it needs to be. Gignoux explained from the lodge side DEQ told them to drill their own well and put in a septic system, and they are now going through the steps of working with the Health Department to get it to be more of a public system.

Commissioner Holmquist asked if DEQ told them to drill their own well.

Denny Gignoux said they encouraged them to.

Joe Russell said he would not characterize encouraged and stated he felt it was a little bit of mischaracterization. He noted they supplied the information which was reviewed and asked why they would limit themselves when they knew they had a structure that could serve more than 24 people and put in less than a public water supply.

Denny Gignoux replied that they received poor information/advice and that hind sight is 20/20. He stated he would re-live this in a completely different manner if it was possible; they were at fault for following that advice.

Joe Russell stated his staff is very competent and would have helped them out all along the way.

Commissioner Lauman stated he is uncomfortable in making a decision and asked to table the decision. He said it seems to him after listening that there is a lack of communication between the neighbors, Camp Winnakee and the Health Department, and maybe by meeting together and resolving some of the issues and concerns they could come back with additional research.

Discussion was held relative to the timeline and review period.

Commissioner Lauman made a **motion** to delay action for two weeks. Commissioner Holmquist **seconded** the motion.

B J Grieve asked for clarification in terms of making sure their office is doing the most they can do over the course of the next two weeks; their criteria for major land use permits falls under the sanitation criteria and basically says:

All development requiring water or sewer services shall obtain the appropriate permits from the Environmental Health Services division of the Flathead City-County Health Department and from the State Department of Environmental Services as appropriate.

B J Grieve further said in order to meet that criteria a condition was included that they obtain those permits and are available upon request. He stated from their offices point of view they can't administer much more on the water quality issue, so basically they would defer to this taking place with the Health Department and them advising them that it is worked out.

Joe Russell stated they would have to get resolution on the public accommodation license.

Chairman Dupont said a lot of this could have been avoided in the beginning with a little bit of communication with the neighbors. He stated you came in with a Bed & Breakfast with 24 beds which I have never seen in my life and questioned what they were trying to do; although I don't see any legal requirement to say no, however, there certainly is some obvious friction that I feel could be squared away in the next couple weeks.

Aye – Lauman, Dupont and Holmquist. Motion carried unanimously.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 5, 2011.

WEDNESDAY, JANUARY 5, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

Chairman Dupont opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Dupont closed the public comment period.

CONFERENCE CALL W/ LAKE COUNTY COMMISSIONERS

[10:02:32 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Others present: (via phone)

Commissioner Barron, Commissioner Trusler, Commissioner Brower

General discussion was held relative to Janna Taylor withdrawing her name from the list of nominees and the process they will now follow after talking to legal counsel.

MEETING W/ JED FISHER, WEED & PARKS RE: INSURANCE PLUM CREEK

[10:15:18 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Weed & Parks Director Jed Fisher, Clerk Kile

Commissioner Lauman made a **motion** to list Plum Creek as additionally insured on the counties insurance policy. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: TIRES, LIQUID ASPHALT, EMULSIFIED ASPHALT, PROPANE, GAS & DIESEL

[10:18:15 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Holmquist made a **motion** to authorize the chair to sign the Call for Bids. Commissioner Lauman **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following:

TIRES

Tires for Flathead County Road and Bridge Departments.

Bids for new tires, tubes, recaps, and recapping.

Tires must be name brand.

Bidder will deliver and pick up tires at the Flathead County
Shop Compound, 1249 Willow Glen Drive, Kalispell, MT.

There may be one bid for new equipment tires and tubes, one bid for passenger car and pickup all season tires, one bid for passenger car and pickup winter tires and one bid for recaps and recapping.

Bid to be "firm" throughout contract period of February 1, 2011 through January 31, 2012 or until the County Commissioners call for new bids.

Bidder to furnish Net State Prices.

Tire Sizes: New Tires

10R22.5 12 ply (minimum) Steer Tires
11R22.5 16 ply (minimum) Steer Tires
11R22.5 16 ply (minimum) Drive Traction Tires
11R24.5 16 ply (minimum) Steer Tires
11R24.5 16 ply (minimum) Drive Traction Tires
1400R24 12 ply (minimum) Snow Type Non Directional Grader Tires
20.5X25 L5 Loader Tires
23.5X25 L5 Loader Tires
12X16.5 10 ply Skid Steer Tires

**WEDNESDAY, JANUARY 5, 2011
(Continued)**

Passenger car and pickup all season

225/60R16 Speed Rated All Season V Rated
235/55R17 Speed Rated All Season V Rated
235/75R15 6 ply All Season
235/85R16 10 ply All Season
265/70R17 10 ply All Season

Passenger car and pickup Mud and Snow

265/70R17 10 ply Mud and Snow (pin for studs)
235/85R16 10 ply Mud and Snow (pin for studs)
235/55R17 Speed Rated Mud and Snow (pin for studs)
225/60R16 Speed Rated Mud and Snow (pin for studs)
245/75R16 10 ply Mud and Snow (pin for studs)
265/70R17 10 ply Mud and Snow (pin for studs)
265/70R17 10 ply Mud and Snow (pin for studs)

Tire Sizes: Recap Tires

10R22.5 Gripper Caps
11R22.5 Gripper Caps (Using County Casings)
11R24.5 Gripper Caps (Using County Casings)

Any other tires needed will be purchased at Net State Prices to be determined in the best interest of Flathead County.

Bidder to attach a typed copy of the above tire sizes listing the brand, size, tread style, grade or quality, and prices for bid comparison and to be attached to the contract if awarded the bid. Bidder is requested to include a catalog of their bid products that would include photos of tires and treads.

Delivery: Pickup and/or delivery/shipping will be F.O.B. to the Flathead County Shop at 1249 Willow Glen Dr. Kalispell, MT 59901.

Each bidder must deposit with his bid, a bid security in the amount of one thousand dollars (\$1,000.000) to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the period of February 1, 2009 through January 31, 2010. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

The successful bidder must be able to deliver materials within ten (10) days of their being ordered by the County.

Should continued problems arise with the materials being supplied by the bidder or if the bidder cannot supply the materials needed, Flathead County reserves the right to purchase the bid items from another supplier in order to maintain operations and safety standards.

The form of contract to be signed is on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, MT.

All sealed bids, **plainly marked as such**, must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, on or before **9:30 a.m. on January 24, 2011**. Bids will be opened and read immediately thereafter in the Commissioner's Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 5th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 9 and January 16, 2011.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following grades of LIQUID ASPHALT:

<u>Estimated Usage</u>	Emulsified Asphalt	CRS 2	500 tons
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The estimated usage figures are to be used only for the purpose of submitting a bid; actual usage for 2011 asphalt season may vary from the estimate.

Bidding is to be by the ton F.O.B. to Flathead County and the specific site, which will be disclosed at the time the order is placed. Bid price is to also include appropriate placement of materials on County site by successful bidder. Distributor to be mounted with a Bear Cat computerized spray bar with a minimum 4,000 gallon tank or equivalent. Supplier shall have oil sample test results on hand and available upon request of Flathead County. Bidder will be responsible for proper product, temperature, consistency, and application.

**WEDNESDAY, JANUARY 5, 2011
(Continued)**

All orders will be placed with the successful bidder by 4:00 p.m. on the day prior to delivery. All orders to be delivered at 7:00 a.m. the next morning. Tanks to be equipped with factory mounted visual thermometers.

Bidder will be responsible to provide County with two (2) oil samples to be taken at the point of delivery, before application begins. Oil samples will be labeled and ready to be tested. Labels and attached documentation are to include date, type of material, temperature, and any other information needed for adequate testing.

Bid to be from February 1, 2011 through January 31, 2012, or until the County Commissioners call for new bids, with the right to go to the next supplier if asphalt is not available or if the asphalt does not meet MDOT specifications from the successful bidder. Bid price is to include on site delivery within Flathead County and for materials to be placed on the road by the vendor.

Each bidder must deposit with his bid, a bid security in the amount of three-thousand dollars (\$3,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract the bidder will, within ten (10) days, enter into a formal contract; or otherwise the bidder will pay to Flathead County the difference between the amount of his bid and the amount for which Flathead County contracts with another party to complete the contract; bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

All sealed bids must be plainly marked "**LIQUID ASPHALT BID**" and must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana, 59901, on or before **9:30 a.m. on January 24, 2011.** Bids will be opened and read immediately thereafter in the Commissioners' Office in the West Annex of the Courthouse and taken under advisement.

The form of contract to be signed is on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 5th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 9 and January 16, 2011.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following:

Propane Fuel

Bidder will furnish in writing an affidavit that the bidder will be able to furnish all the materials (propane) that Flathead County will use in the next year, February 1, 2011 through January 31, 2012.

PROPANE	estimated usage	200,000 gallons
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Vendor to provide the 11,000 gallon minimum porta-pac/tank, the pump and motors, all piping and pressure regulating valves and gauges and related equipment to the liquid propane manifold which will meet the burner specifications on both volume and pressure down to a temperature of 32 degrees Fahrenheit, see attached diagram with specifications. If rental agreements are applicable, pertinent information maybe listed at the appropriate space provided. This should include the delivery and removal of the tank and equipment upon job completion and or the termination of said contract, including any man-hours required for set up or removal.

Bidder will provide the equipment necessary for the hookup between the porta-pac and the liquid propane manifold. Flathead County agrees to purchase any items needed for the hookup that are specific to our particular plant.

Once the porta-pac has been moved to the site Flathead County will bear the costs of any further relocating.

Bidder must be able to deliver materials to the Old Steel Bridge Pit, 1333 Holt Stage Road, Kalispell, MT. 59901, or to another predetermined location within Flathead County, on a keep full basis. Alternate delivery locations will be given to the vendor one-week prior to the effective date of change.

Delivery/Shipping will be F.O.B. to the specified plant location.

Bidder to furnish propane at net state prices (laid in price, rack price). At the time a net state prices (laid in price, rack price) fluctuation occurs the term contract holding vendor shall be required to supply a written, dated notice, detailing the effect the price fluctuation will have on net state prices (laid in price, rack price) and the total cost per gallon delivered.

For fuel provided under the term contract, net state prices (laid in price, rack price), delivery prices, totals per gallon, invoice total and meter reading measurements before and after delivery must be on all invoices. Invoices must be signed at the delivery point or signed at the County Shop Office after each delivery.

Bidder to state brand of propane fuel on the bid form.

**WEDNESDAY, JANUARY 5, 2011
(Continued)**

Bidder is to bid only the delivery cost per gallon over the net state prices (laid in price, rack price) on the attached bid form.

Award of bid will be made only to a single vendor who can supply propane fuel, porta-pac unit, and related items needed to hook up to the liquid propane manifold. If delivery points are not kept full Flathead County reserves the right to order fuel from another supplier to maintain operations.

All fuels provided and delivered shall meet or exceed Federal Fuel Commodity Specifications.

NOTE - If quality of fuel is questioned, the County reserves the right to have fuel tested and if found unsatisfactory to refuse delivery.

Each bidder must deposit with his bid, a bid security in the amount of two-thousand dollars (\$2,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the supply, purchase, and sale of said propane fuels. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

The form of contract and the bid form to be signed are on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

All sealed bids, **plainly marked as such**, must be in the hands of the Clerk and Recorder on or before **9:30 a.m. on January 24, 2011**. Bids will be opened and read immediately thereafter in the Commissioners' Office at the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interests of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 5th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 9 and January 16, 2011.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following:

GASOLINE AND DIESEL

Bidder will furnish in writing an affidavit that the bidder will be able to furnish all the materials (gasoline and diesel) that Flathead County will use in the next year, February 1, 2011 through January 31, 2012.

DIESEL	- estimated usage - 325,000 gallons
REGULAR NO LEAD	- estimated usage - 100,000 gallons

Bidder must be able to deliver materials to the following delivery points on a keep full basis.
Bid prices for all materials must be listed for each delivery point listed below, on the bid form.
Delivery/Shipping will be F.O.B. to the following destinations.

<u>Delivery Points:</u>	Martin City	Regular No Lead Gas and Red Dyed Low Sulfur Diesel
	Columbia Falls	Regular No Lead Gas and Red Dyed Low Sulfur Diesel
	Busch Pit	Regular No Lead Gas and Red Dyed Low Sulfur Diesel
	Bigfork - Sullivan	Red Dyed Low Sulfur Diesel
	Sheepherder Pit	Red Dyed Low Sulfur Diesel
	County Shop, Road	Regular No Lead Gas and Red Dyed Ultra Low Sulfur Diesel
	Mixing Plant	Red Dyed Low Sulfur Diesel Fuel
	Solid Waste, Dump	Regular No Lead Gasoline and Red Dyed Ultra Low Sulfur Diesel

Diesel fuel to be blended a minimum of 30% in winter months, approximately from November 1 through March 31, at the discretion of the Flathead County Road Department, depending upon winter weather.

Bidder to furnish net state prices. At the time a price fluctuation occurs the term contract holding vendor shall be required to supply a written, dated notice, detailing the effect the price fluctuation will have on his "Base Price".

For fuel provided under the term contract, prices and meter readings or "stick" measurements must be on all invoices. Invoices must be signed at the delivery point or signed at the County Shop Office after each delivery.

Bidder to state brand of gasoline and/or diesel fuel being on the bid form.

Bidder to include the following taxes with their price breakdown per gallon per delivery point on the attached form:

Gasoline include state tax no federal tax **Diesel** include no state tax no federal tax

Award of bid will be made only to a single vendor who can supply both gasoline and diesel fuel. If delivery points are not kept full Flathead County reserves the right to order fuel from another supplier to maintain operations.

**WEDNESDAY, JANUARY 5, 2011
(Continued)**

All fuels provided and delivered under the terms of this contract shall meet or exceed Federal Fuel Commodity Specifications as referenced below:

Fuel Quality Requirements:

Gasoline - All gasoline provided shall meet or exceed Federal Specifications, VV-G-1690B.

Diesel Fuel - All diesel fuels provided shall meet or exceed Federal Specifications, VV-F-800B with reference to grades DF-#1 and DF-#2.

NOTE - If quality of fuels is questioned, the County reserves the right to have fuels tested and if found unsatisfactory to refuse delivery.

Each bidder must deposit with his bid, a bid security in the amount of two-thousand dollars (\$2,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the supply, purchase, and sale of said gasoline and diesel fuels. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

The form of contract and the bid form to be signed are on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

All sealed bids, **plainly marked as such**, must be in the hands of the Clerk and Recorder on or before **9:30 a.m. on January 24, 2011**. Bids will be opened and read immediately thereafter in the Commissioners' Office at the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interests of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 5th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:

Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 9 and January 16, 2011.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following grades of LIQUID ASPHALT:

<u>Estimated Usage</u>	Asphalt	PG64-22 & PG58-28	--	2,000 ton
	Asphalt	SS 1 Tack Oil	--	30 tons

The award of bid will be made to a single vendor who will supply both types of liquid asphalt. The award of bid will be made on the basis of an overall low bid determined by use of the County's estimated usage for each type of liquid asphalt and the bidders' price for each type of liquid asphalt. The estimated usage figures are to be used only for the purpose of determining an overall low bid; actual usage of each type of asphalt for 2011 asphalt season may vary from those estimates.

All pricing is to be by the ton F.O.B. to the Flathead County Asphalt Plant in Kalispell and/or to the Flathead County Shop in Kalispell.

All orders will be placed with the successful bidder by 4:00 p.m. on the day prior to delivery, at which time the contractor will be told the type of oil to deliver. All orders to be delivered at 7:00 a.m. the next morning. All trucks shall have pumps to unload in overhead tanks. Asphalt will be 290 degrees Fahrenheit at time of delivery. Emulsified asphalt will be 140 degrees Fahrenheit when delivered. Tanks to be equipped with factory mounted visual thermometers. Supplier shall have oil sample test results on hand and available upon request to Flathead County.

Bid to be from February 1, 2011 through January 31, 2012, or until the County Commissioners call for new bids, with the right to go to the next supplier if asphalt is not available or if the asphalt does not meet MDOT specifications from the successful bidder.

Each bidder must deposit with his bid, a bid security in the amount of three-thousand dollars (\$3,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract the bidder will, within ten (10) days, enter into a formal contract; or otherwise the bidder will pay to Flathead County the difference between the amount of his bid and the amount for which Flathead County contracts with another party to complete the contract; bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

All sealed bids must be plainly marked "**LIQUID ASPHALT BID**" and must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana, 59901, on or before **9:30 a.m. on January 24, 2011**. Bids will be opened and read immediately thereafter in the Commissioners' Office in the West Annex of the Courthouse.

The form of contract to be signed is on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

**WEDNESDAY, JANUARY 5, 2011
(Continued)**

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 5th day of January, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/James R. Dupont
James R. Dupont, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on January 9 and January 16, 2011.

CONSIDERATION OF PRINTING BIDS: PLANNING & ZONING OFFICE

10:21:41 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the print bid for 2 sets of 500 each business cards from Insty Prints for \$49.90 and authorized the chair to sign. Commissioner Holmquist **seconded** the motion. **Aye** – Lauman, Dupont and Holmquist. Motion carried unanimously.

MEETING W/ LEADERS OF TOMORROW

10:30:14 AM

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Sherry Stevens, Vona Sundberg, Caroline Hansford, Mishay Washburn, Tayler Gress, Jiaise Osborne, Parker Johnson, Shelby Ballard, Whitley Newberry, Dayna Niebaum, Grier Southwick-Hann, Chantal Gustine, Jacob Williams, Kaylee Clugston, Austin Jones, Marty Vollmer, Bruce Willis, Justin Kauffman, Derrick Williams, Trevor Holladay, Klaire Taylor, Allison Woodruff, Brianna Larson, Amber McDaniel, Clerk Kile

Chairman Dupont summarized the role commissioner's play within the county as elected officials.

Commissioner Lauman spoke about the budgeting process and explained 69 percent of the tax money collected goes towards schools, and they control approximately 19 to 21 percent of the tax dollar collected in the county.

Commissioner Holmquist addressed land use issue decisions they are responsible for making.

Chairman Dupont reviewed the process followed for scheduling meetings and laws that pertain to their meetings.

Discussion was held relative to the amount of money kept in the county budget for reserves and scheduling conflicts with the need to have a quorum in order to meet.

11:00 a.m. County Attorney meeting @ Co. Atty's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 6, 2011.

THURSDAY, JANUARY 6, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

8:30 a.m. Commissioner Dupont: AOA TAB @ Eagle Transit

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 7, 2011.

FRIDAY, JANUARY 7, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

Chairman Dupont opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Dupont closed the public comment period.

CONTINUATION OF CONFERENCE CALL W/ LAKE COUNTY COMMISSIONERS

[10:03:07 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Chairman Dupont noted the three nominees chosen by the Republican Central Committee to replace Senator John Bruggeman, due to his resignation are Janna Taylor, Roy Horning and Darold Schaeffer. He said as he understands it Janna Taylor has pulled her application due to the time delay in making a decision.

Commissioner Lauman state he would vote for Janna Taylor regardless as being the best qualified.

Commissioner Holmquist cast her vote for Janna Taylor as well.

Chairman Dupont noted he also would vote for Janna Taylor.

Chairman Dupont stated the votes would be forwarded to Lake County.

CONTINUATION OF CONFERENCE CALL W/ LAKE COUNTY COMMISSIONERS

[10:32:29 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Pamela J. Holmquist

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Present: Via Phone

Commissioner Barron, Commissioner Trusler, Commissioner Brower

Chairman Dupont noted for the record 3 votes were cast for Janna Taylor by Flathead County earlier today.

Commissioner Barron explained he would give 2 ballots to Commissioner Brower, 2 ballots to Commissioner Trussler with one ballot having the number two on it in case they have to go to a second vote.

Lake County Commissioner Barron noted by the tally no nominee received 51 percent of the votes and they will request three additional names.

Noted for the record a list of 3 more names will be requested.

CONTINUATION OF CONFERENCE CALL W/ LAKE COUNTY COMMISSIONERS

[11:00:29 AM](#)

(No audio recording of this meeting is available).

Members present:

Chairman James R. Dupont
Commissioner Pamela J. Holmquist

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Others present: via phone

Commissioner Barron, Commissioner Trusler, Commissioner Brower

Via phone Lake County Commissioners cast their vote for Roy Horning, Darold Schaeffer and one abstained.

Flathead County Commissioners voted for Roy Horning.

Noted for the record three additional names will be requested.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 10, 2011.
